

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CMC MATERIALS, INC.,)	
)	
Plaintiff,)	
)	C.A. No. 20-738-JLH
v.)	
)	
DUPONT DE NEMOURS, INC., et al.,)	
)	
Defendants.)	
)	

**DEFENDANTS' MOTION FOR EXPEDITED BRIEFING OF ITS MOTION FOR
CERTIFICATION OF THE MARKMAN RULING FOR
IMMEDIATE INTERLOCUTORY APPEAL TO THE FEDERAL CIRCUIT**

Defendants (“DuPont”) respectfully request expedited briefing and resolution of its Motion to Certify the Court’s Order dated March 4, 2024 (D.I. 249) for immediate interlocutory appeal under 28 U.S.C. § 1292(b) and a temporary stay of case deadlines until such resolution. The parties are currently conducting expert discovery and opening expert reports are scheduled to be exchanged on March 20, 2024. Absent action by this Court, if any of the governing claim constructions in this case are modified, expert discovery, including expert reports and depositions, would have to be redone. To avoid potentially unnecessary expert discovery, DuPont respectfully requests the Court order Plaintiff to file its answering brief on March 18 and Dupont to file its reply brief on March 21, and temporarily stay case deadlines until resolution of the Motion.

Pursuant to D. Del. LR 7.1.1, the subject of this motion was raised with counsel for CMC during a telephonic meet and confer that included Delaware counsel for all parties, and the parties were not able to reach agreement.

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Respectfully submitted,
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